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				TEL
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/472,401	12/27/1999	MASAHIRO SUEYOSHI	YAMAP0689US	8682
75	90 06/03/2003			
NEIL A DUCHEZ RENNER OTTO BOISSELLE & SKLAR PLL 1621 EUCLID AVENUE NINETEENTH FLOOR CLEVELAND, OH 44115			EXAMINER	
			AN, SHAWN S	
			ART UNIT	PAPER NUMBER
,			2613	
			DATE MAILED: 06/03/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No. 09/472,401

Applicant(s)

Masahiro Sueyoshi et al.

Examiner

Shawn An

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The MAILING DATE of this communication annears	on the cover sheet with the correspondence address
Period for Reply	on the tover sheet with the correspondence address
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be evailable under the provisions of 37 CFR 1.136 (a). In	
mailing date of this communication.  If the period for reply specified above is less than thirty (30) days, a reply within the lf NO period for reply is specified above, the maximum statutory period will apply a Failure to reply within the set or extended period for reply will, by statute, cause the Any reply received by the Office later than three months after the mailing date of the earned patent term adjustment. See 37 CFR 1.704(b).	and will expire SIX (6) MONTHS from the mailing date of this communication.  ne application to become ABANDONED (35 U.S.C. § 133).
Status	
1) Responsive to communication(s) filed on	·
2a) ☐ This action is <b>FINAL</b> . 2b) ☒ This act	ion is non-final.
3) Since this application is in condition for allowance eclosed in accordance with the practice under <i>Ex pa</i> .	except for formal matters, prosecution as to the merits is rte Quayle, 1935 C.D. 11; 453 O.G. 213.
Disposition of Claims	
4) 💢 Claim(s) <u>1-24</u>	is/are pending in the application.
4a) Of the above, claim(s)	is/are withdrawn from consideration.
5)  Claim(s)	is/are allowed.
6) Claim(s)	is/are rejected.
7) Claim(s)	
	are subject to restriction and/or election requirement.
Application Papers	
9) The specification is objected to by the Examiner.	
10) The drawing(s) filed on is/are	a) $\square$ accepted or b) $\square$ objected to by the Examiner.
Applicant may not request that any objection to the d	rawing(s) be held in abeyance. See 37 CFR 1.85(a).
11) The proposed drawing correction filed on	is: a) $\square$ approved b) $\square$ disapproved by the Examiner.
If approved, corrected drawings are required in reply t	to this Office action.
12) $\square$ The oath or declaration is objected to by the Exami	ner.
Priority under 35 U.S.C. §§ 119 and 120	
13) 🗓 Acknowledgement is made of a claim for foreign pr	riority under 35 U.S.C. § 119(a)-(d) or (f).
a) $igstylengthing$ All b) $igstylengthing$ Some* c) $igstylengthing$ None of:	
1. 🛛 Certified copies of the priority documents hav	e been received.
2. Certified copies of the priority documents hav	e been received in Application No
3. Copies of the certified copies of the priority do application from the International Burea*See the attached detailed Office action for a list of the	
14) Acknowledgement is made of a claim for domestic	
a) The translation of the foreign language provisiona	
15) Acknowledgement is made of a claim for domestic	
Attachment(s)	prieme, 2000-00 0.010, 30 120 0110/01 1211
1) Notice of References Cited (PTO-892)	4) Interview Summary (PTO-413) Paper No(s).
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) Notice of Informal Patent Application (PTO-152)
3) Information Disclosure Statement(s) (PTO-1449) Paper No(s)	6)  Other:

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#### **DETAILED ACTION**

### Election/Restriction

1. This application contains claims directed to the following patentably distinct species of the claimed invention: **five** distinct embodiments as depicted in figures 1, 3, 6, 7, and 8, respectively.

Applicant is required under 35 U.S.C. 121 to elect a single disclosed specie on the basis of the corresponding figures listed above, and to indicate to the Examiner which of the claims 1-24 read on the elected figures of the disclosed specie for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claim is considered generic.

Applicant is advised that a response to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

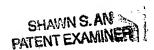
Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any

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amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(I).

### Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawn An whose telephone number (703) 305-0099 and schedule are Tuesday-Friday (Monday off).



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May 29, 2003